

HOUSE BILL 1976

By Ramsey

AN ACT to amend Tennessee Code Annotated, Title 49,
Chapter 6, Part 45, relative to bullying policies.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 49-6-4503(b), is amended by adding the following language as a new subdivision:

(14) A procedure for a referral for appropriate counseling and support services for students involved in an act of harassment, intimidation, bullying, or cyber-bullying, when deemed necessary by the principal. The counseling and support services may be conducted by school counseling personnel who are appropriately trained, such as psychologists, social workers, school counselors, or any other personnel or resources available;

SECTION 2. Tennessee Code Annotated, Section 49-6-4503(b)(6), is amended by deleting the subdivision and substituting instead:

(6) A procedure for the prompt and immediate investigation when an act of harassment, intimidation, bullying, or cyber-bullying is reported to the principal, the principal's designee, teacher, or school counselor. The principal or the principal's designee shall initiate the investigation and an appropriate intervention within twenty (20) school days of receipt of the report, unless the need for more time is appropriately documented;

SECTION 3. Tennessee Code Annotated, Section 49-6-4503(d), is amended by adding the following language as a new subdivision (2) and redesignating the subsequent subdivision accordingly:

(2) The principal, or the principal's designee, shall immediately inform the parent or legal guardian of a student involved in an act of harassment, intimidation, bullying, or

cyber-bullying. The principal or the principal's designee shall inform the parents or legal guardians of the students of the availability of counseling and support services that may be necessary.

SECTION 4. Tennessee Code Annotated, Section 49-6-4503(c)(2)(B), is amended by deleting the subdivision in its entirety and substituting instead:

(B) Beginning August 1, 2016, and annually thereafter, complete and submit a report to the department of education. The report shall be in a format provided by the department and shall include:

(i) The number of harassment, intimidation, bullying, or cyber-bullying cases brought to the attention of school officials during the preceding year;

(ii) The number of harassment, intimidation, bullying, or cyber-bullying cases where the investigation supported a finding that bullying had taken place;

(iii) The number of harassment, intimidation, bullying, or cyber-bullying cases not investigated within twenty (20) school days of receipt of the report and the reason the investigation took longer than twenty (20) school days; and

(iv) The type of harassment, intimidation, bullying, or cyber-bullying identified and manner in which the harassment, intimidation, bullying, or cyber-bullying cases were resolved, including any disciplinary action against the student who was harassing, intimidating, bullying, or cyber-bullying.

SECTION 5. Tennessee Code Annotated, Section 49-6-4503(c)(3), is amended by deleting the subdivision in its entirety and substituting instead:

The department shall annually submit a report to the education administration and planning committee of the house of representatives, the education instruction and programs committee of the house of representatives, and the education committee of the senate updating membership on the number of harassment, intimidation, bullying, or cyber-bullying cases reported statewide, the number of LEAs implementing this part, the status of any investigations, including disciplinary actions against students, and any other information relating to the subjects of harassment, intimidation, bullying, or cyber-bullying as will be helpful to the committees in establishing policy in this area.

SECTION 6. Tennessee Code Annotated, Section 49-6-4504, is amended by designating the existing language as subsection (a) and adding the following language as a new subsection (b):

(b) Each LEA is encouraged to review the policy prohibiting harassment, intimidation, bullying, or cyber-bullying at least once every three (3) years. Each LEA shall transmit a copy of any changes in the policy to the commissioner in a timely manner.

SECTION 7. This act shall take effect July 1, 2016, the public welfare requiring it.